

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ART ASSURE LTD., LLC,	:	
Plaintiff,	:	
-against-	:	
	:	14 CV 3756 (LGS)
ARTMENTUM GMBH, MICHAEL SCHULZ, THOMAS	:	
BURKHALTER, ELIANE PIDOUX, INTERNATIONAL	:	
CORPORATE ART CONSULTING, KEVIN WYNN,	:	
KLAUS MACIEJEWSKI, HANS-BERT MOLL, and DZ	:	
PRIVATBANK (SCHWEIZ) AG,	:	
Defendants.	:	
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**DECLARATION OF NICHOLAS M. O'DONNELL**  
**IN OPPOSITION TO CROSS MOTION FOR DISCOVERY**

NICHOLAS M. O'DONNELL, pursuant to 28 U.S.C. § 1746, declares as follows:

1. I am a partner at the law firm of Sullivan & Worcester LLP, which represents the defendants Artmentum GmbH, Michael Schulz, Thomas Burkhalter, Eliane Pidoux, International Corporate Art Consulting, Kevin Wynn, and Klaus Maciejewski in this case. I submit this declaration, which is based on personal knowledge, in opposition to plaintiff's cross motion for discovery.
2. Attached hereto as Exhibit 1 is a true and accurate copy of an archived article entitled "Edelman's Losses Said to Augur Change" that I printed from the *Los Angeles Times* website.

3. Attached hereto as Exhibit 2 is a true and accurate copy of the Complaint filed in New York Supreme Court, Manhattan, in the case *Regina Edelman v. Asher Edelman*, Index No. 154352/2013.

4. Attached hereto as Exhibit 3 is a true and accurate copy of the Decision and Order on Motion dated October 4, 2013 in the foregoing case.

5. Attached hereto as Exhibit 4 is a true and accurate copy of an article dated May 14, 2013 that I printed from [www.nypost.com](http://www.nypost.com).

6. Attached hereto as Exhibit 5 is a true and accurate copy of the Judgment and Order of the Supreme Court in the matter *Emigrant Bank Fine Art Finance, LLC v. Asher Edelman et al.* (the "Emigrant Bank Case"), dated August 13, 2010.

7. Attached hereto as Exhibit 6 is a true and accurate copy of the Affidavit of Hope Tate filed in the Emigrant Bank Case on or about March 25, 2010 (without exhibits).

I declare under penalty of perjury that the foregoing is true and correct.

August 29, 2014.

  
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Nicholas M. O'Donnell